

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 7049 – SB 7064

August 21, 2023

SUMMARY OF BILL: Creates the Class C felony of knowingly inducing or coercing a minor under 18 to commit theft of a firearm or a robbery or burglary offense involving theft of a firearm from a residence or motor vehicle. Effective October 1, 2023.

FISCAL IMPACT:

Increase State Expenditures - \$2,138,500 Incarceration

Assumptions:

- According to the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives National Firearms Commerce and Trafficking Assessment: *Crime Gun Intelligence and Analysis Volume Two, Part V*, between 2017 and 2021 an average of 8,143 firearms per year were stolen from private citizens in Tennessee.
- This analysis assumes 85 percent, or 6,922 (8,143 x 85%), of such firearms were stolen from a residence or motor vehicle. It is assumed 10 percent, or 692.2 (6,922 x 10.0%), of such firearms were stolen by minors, and it is further assumed 10 percent, or 69.22 (692.2 x 10.0%), those minors were induced or coerced into committing an offense involving theft of a firearm.
- The average time served for a Class C felony offense is 1.63 years.
- This analysis assumes there will be 69.22 new Class C felony admissions annually serving 1.63 years.
- Based on population data from the U.S. Census Bureau, population growth in Tennessee averaged 1.07 percent per year (from 2019 to 2022).
- The weighted average operational costs per day are estimated to be \$50.63 for inmates housed at state facilities and \$52.11 for inmates housed at local facilities.
- The increase in incarceration costs is estimated to be the following over the next three-year period:

Increase in State Expenditures	
Amount	Fiscal Year
\$ 1,292,300	FY23-24
\$ 2,112,300	FY24-25
\$ 2,138,500	FY25-26

- Pursuant to Public Chapter 1007 of 2022, recurring costs increases are to be estimated on the highest of the next three fiscal years; therefore, the recurring increase in incarceration costs will be \$2,138,500.
- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection in criminal cases is insignificant. The proposed legislation will not significantly change state or local revenue.
- The estimated fiscal impact of the proposed legislation does not consider the availability of beds in state and local facilities, but is based solely on the current operating costs of state facilities and the reimbursement rates for local facilities as is required by Tenn. Code Ann. § 9-4-210.
- All calculations used in completion of this fiscal analysis are available upon request.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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